

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHAW-NAE DIXON, THOMAS CASATELLI,  
JEANETTE RIVERA, NATALIA YAKUBOVA, CHRIS  
KING, ALISON MARCHESE, on behalf of AM, JM, and  
MMV (her minor children), WILLIAM MORRIS,  
GEORGE KABBEZ, MARY JOSEPHINE GENEROSO,  
SHAW NAE'S HOUSE, LLC, SALTY DOG  
RESTAURANT, LTD, PER TAVERN CORP. d/b/a THE  
KETTLE BLACK, CARGOSTORK PARTIES INC. d/b/a  
DO ME A FAVOR, and INDEPENDENT RESTAURANT  
OWNERS ASSOCIATION RESCUE, INC.,

21-cv-5090 (BMC)

Plaintiffs,

-against-

BILL DE BLASIO, in his official capacity as Mayor of New  
York City; and THE CITY OF NEW YORK,

Defendants.

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**KERRI A. DEVINE**, declares pursuant to 28 U.S.C. § 1746, under penalty of  
perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of Georgia M. Pestana,  
Corporation Counsel of the City of New York, attorney for Defendants Bill de Blasio in his official  
capacity as Mayor of the City of New York and the City of New York ("City Defendants"). As  
such, I am familiar with the facts stated below and submit this declaration to place on the record  
relevant documents in support of Defendants' Memorandum of Law in Opposition to Plaintiffs'  
Motion for a Preliminary Injunction.

2. Attached as Exhibit "A" is a true and correct copy of New York City  
Emergency Executive Order No. 225 entitled "KEY TO NYC: REQUIRING COVID-19

VACCINATION FOR INDOOR ENTERTAINMENT, RECREATION, DINING AND FITNESS SETTINGS” signed by Mayor Bill de Blasio on August 16, 2021, effecting August 17, 2021; *also available at* <https://www1.nyc.gov/office-of-the-mayor/news/225-001/emergency-executive-order-225> (last visited October 1, 2021).

3. Attached as Exhibit “B” is a true and correct copy of New York City Emergency Executive Order No. 250, signed by Mayor Bill de Blasio on September 24, 2021; *also available at* <https://www1.nyc.gov/office-of-the-mayor/news/250-001/emergency-executive-order-250> (last visited October 1, 2021).

Dated: New York, New York  
October 5, 2021

Kerri A. Devine /s/  
Kerri A. Devine  
Assistant Corporation Counsel